

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:16-cv-08215-WHP**

Color of Change et al v. Department of Homeland Security et al
Assigned to: Judge William H. Pauley, III
Cause: 05:552 Freedom of Information Act

Date Filed: 10/20/2016
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

Color of Change

represented by **Avidan Yehuda Cover**
Milton Kramer Law Clinic Case Western
Law School
11075 East Blvd.
Cleveland, OH 44106
216-368-7662
Fax: 216-368-5137
Email: avidan.cover@case.edu
ATTORNEY TO BE NOTICED

Ghita Schwarz
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
212-614-6445
Fax: 212-614-6422
Email: gschwarz@ccrjustice.org
ATTORNEY TO BE NOTICED

Stephanie Llanes
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
(770)-329-1391
Email: smartinllanes@gmail.com
ATTORNEY TO BE NOTICED

Omar Ahmed Farah
Clifford Chance US, LLP (NYC)
31 West 52nd Street
New York, NY 10019
(212) 878 3383
Fax: (212) 878 8375
Email: omar.farah@cliffordchance.com
ATTORNEY TO BE NOTICED

Plaintiff

Center for Constitutional Rights

represented by **Avidan Yehuda Cover**
(See above for address)
ATTORNEY TO BE NOTICED

Ghita Schwarz
(See above for address)
ATTORNEY TO BE NOTICED

Stephanie Llanes
(See above for address)
ATTORNEY TO BE NOTICED

Omar Ahmed Farah
(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Homeland Security

represented by **Tomoko Onozawa**
U.S. Attorney's Office, SDNY (Chambers Street)
86 Chambers Street
New York, NY 10007
(212) 637-2721
Fax: (212) 637- 2686
Email: tomoko.onozawa@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer Ann Jude
United States Attorney's Office SDNY
86 Chambers St., 3rd Floor
New York, NY 10007
(212)-637-2663
Fax: (212)-637-2686
Email: jennifer.jude@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Investigation

represented by **Tomoko Onozawa**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer Ann Jude
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/20/2016	<u>1</u>	COMPLAINT against Department of Homeland Security, Federal Bureau of Investigation. (Filing Fee \$ 400.00, Receipt Number 0208-12896998) Document filed by Color of Change, Center for Constitutional Rights. (Attachments: # <u>1</u> Exhibit Exhibits A-I)(Farah, Omar) (Entered: 10/20/2016)
10/20/2016	<u>2</u>	CIVIL COVER SHEET filed. (Farah, Omar) (Entered: 10/20/2016)
10/20/2016	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to Department of Homeland Security and Federal Bureau of Investigation, re: <u>1</u> Complaint,. Document filed by Center for Constitutional Rights, Color of Change. (Farah, Omar) Modified on 10/21/2016 (pc). (Entered: 10/20/2016)
10/21/2016		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge William H. Pauley, III. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 10/21/2016)
10/21/2016		Magistrate Judge Sarah Netburn is so designated. (pc) (Entered: 10/21/2016)
10/21/2016		Case Designated ECF. (pc) (Entered: 10/21/2016)
10/21/2016		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Omar Ahmed Farah. The party information for the following

		<p style="color: blue;">party/parties has been modified: Department of Homeland Security. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error. (pc) (Entered: 10/21/2016)</p>
10/21/2016		<p style="color: blue;">***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney to RE-FILE Document No. <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): Party name listed on the docket entry for the summons must exactly match what is listed on the complaint caption title. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 10/21/2016)</p>
10/21/2016	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Homeland Security and Federal Bureau of Investigation, re: <u>1</u> Complaint,. Document filed by Center for Constitutional Rights, Color of Change. (Farah, Omar) (Entered: 10/21/2016)
10/21/2016	<u>5</u>	NOTICE OF APPEARANCE by Ghita Schwarz on behalf of Center for Constitutional Rights, Color of Change. (Schwarz, Ghita) (Entered: 10/21/2016)
10/24/2016	<u>6</u>	NOTICE OF APPEARANCE by Avidan Yehuda Cover on behalf of Center for Constitutional Rights, Color of Change. (Cover, Avidan) (Entered: 10/24/2016)
10/24/2016	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau of Investigation, United States Department of Homeland Security. (rch) (Entered: 10/24/2016)
10/24/2016	<u>8</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 1/20/2017 at 03:30 PM in Courtroom 20B, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 10/24/2016) (tro) (Entered: 10/25/2016)
11/04/2016	<u>9</u>	NOTICE of Submission of Law Student Intern Appearance forms. Document filed by Center for Constitutional Rights, Color of Change. (Attachments: # <u>1</u> Exhibit Galen Baynes Law Student Intern Appearance Form, # <u>2</u> Exhibit Katelyn Pierce Law Student Intern Appearance Form, # <u>3</u> Exhibit Southern District of New York Plan for Student Practice in Civil Actions)(Cover, Avidan) (Entered: 11/04/2016)
11/22/2016	<u>10</u>	LETTER MOTION for Conference <i>on FBI's Motion to Dismiss and Requesting an Extension of DHS's Deadline to Respond to the Complaint</i> addressed to Judge William H. Pauley, III from Jennifer Jude dated 11/22/16. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Jude, Jennifer) (Entered: 11/22/2016)
11/30/2016	<u>11</u>	<p style="color: blue;">FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</p> LETTER MOTION for Conference <i>in Opposition to FBIs Motion to Dismiss</i> addressed to Judge William H. Pauley, III from Omar Farah dated November 30, 2016. Document filed by Center for Constitutional Rights, Color of Change.(Farah, Omar) Modified on 12/22/2016 (db). (Entered: 11/30/2016)
12/02/2016	<u>12</u>	ORDER granting <u>10</u> Letter Motion for Conference on FBI's Motion to Dismiss and Requesting an Extension of DHS's Deadline to Respond to the Complaint. Application approved. Defendants' time to respond to the complaint is extended to December 27, 2016. The parties shall address the FBI's proposed motion at the initial pre-trial conference on January 20, 2017. (Signed by Judge William H. Pauley, III on 12/2/2016) (cla) (Entered: 12/05/2016)
12/02/2016		Set/Reset Deadlines: Federal Bureau of Investigation answer due 12/27/2016; United States Department of Homeland Security answer due 12/27/2016. (cla) (Entered: 12/05/2016)
12/05/2016	<u>13</u>	LETTER MOTION for Extension of Time to File Answer re: <u>12</u> Order on Motion for Conference, addressed to Judge William H. Pauley, III from AUSA Tomoko Onozawa dated 12/5/2016. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Onozawa, Tomoko) (Entered: 12/05/2016)

12/05/2016	<u>14</u>	ORDER granting <u>13</u> Letter Motion for Extension of Time to Answer. Application approved. The FBI's deadline to file an answer is extended until after the Court has ruled on the FBI's proposed motion to dismiss. (Signed by Judge William H. Pauley, III on 12/5/2016) (mro) (Entered: 12/06/2016)
12/23/2016	<u>15</u>	ANSWER to <u>1</u> Complaint,. Document filed by United States Department of Homeland Security.(Onozawa, Tomoko) (Entered: 12/23/2016)
01/11/2017	<u>16</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,. Federal Bureau of Investigation served on 10/26/2016, answer due 11/16/2016; United States Department of Homeland Security served on 10/26/2016, answer due 11/16/2016. Service was accepted by Lisa Ahearn, Civil Clerk. Document filed by Color of Change; Center for Constitutional Rights. (Farah, Omar) (Entered: 01/11/2017)
01/13/2017	<u>17</u>	JOINT LETTER addressed to Judge William H. Pauley, III from Tomoko Onozawa dated 1/13/17 re: Initial Pretrial Conference. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Jude, Jennifer) (Entered: 01/13/2017)
01/18/2017	<u>18</u>	MEMO ENDORSEMENT on re: <u>17</u> Letter re: Initial Pretrial Conference, filed by United States Department of Homeland Security, Federal Bureau of Investigation. ENDORSEMENT: Application granted in part. Defendant FBI's time to file an answer is extended to January 27, 2017. The initial pre-trial conference scheduled for January 20, 2017 is adjourned to February 24, 2017 at 3:00 p.m. (Federal Bureau of Investigation answer due 1/27/2017. Initial Conference set for 2/24/2017 at 03:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 1/18/2017) (cla) (Entered: 01/18/2017)
01/27/2017	<u>19</u>	ANSWER to <u>1</u> Complaint,. Document filed by Federal Bureau of Investigation.(Onozawa, Tomoko) (Entered: 01/27/2017)
02/17/2017	<u>20</u>	FIRST LETTER MOTION for Conference <i>Pretrial on February 24, 2017</i> addressed to Judge William H. Pauley, III from Avidan Y. Cover dated February 17, 2017. Document filed by Center for Constitutional Rights, Color of Change.(Cover, Avidan) (Entered: 02/17/2017)
02/17/2017	<u>21</u>	ORDER granting <u>20</u> Letter Motion for Conference. Application granted. (Signed by Judge William H. Pauley, III on 2/17/2017) (cla) (Entered: 02/17/2017)
02/24/2017		Minute Entry for proceedings held before Judge William H. Pauley, III: Initial Pretrial Conference held on 2/24/2017. (Entered: 03/03/2017)
03/23/2017	<u>22</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 2/24/2017 before Judge William H. Pauley, III. Court Reporter/Transcriber: Carol Ganley, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/13/2017. Redacted Transcript Deadline set for 4/24/2017. Release of Transcript Restriction set for 6/21/2017.(McGuirk, Kelly) (Entered: 03/23/2017)
03/23/2017	<u>23</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 2/24/17 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/23/2017)
04/19/2017	<u>24</u>	LETTER addressed to Judge William H. Pauley, III from AUSA Tomoko Onozawa dated 4/19/2017 re: Joint Status Letter. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Onozawa, Tomoko) (Entered: 04/19/2017)
04/20/2017	<u>25</u>	SCHEDULING ORDER: Status Conference set for 4/21/2017 at 01:30 PM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 4/20/2017) (cla) (Entered: 04/20/2017)

04/21/2017	<u>26</u>	SCEDULING ORDER: The Office of Intelligence and Analysis shall produce its responsive documents at a rate of five hundred pages per month starting on May 22, 2017. The Federal Bureau of Investigation shall produce its responsive documents at a rate of 500 pages per month starting on May 31, 2017. The parties shall submit a joint status report by June 20, 2017. Status Conference set for 6/23/2017 at 10:30 AM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 4/21/2017) (cla) (Entered: 04/21/2017)
04/21/2017		Minute Entry for proceedings held before Judge William H. Pauley, III: Status Conference held on 4/21/2017. (Entered: 05/08/2017)
04/28/2017	<u>27</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – LETTER MOTION for Leave to File Proposed Amended Order addressed to Judge William H. Pauley, III from AUSA Tomoko Onozawa dated 4/28/2017. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Onozawa, Tomoko) Modified on 6/6/2017 (ldi). (Entered: 04/28/2017)
04/28/2017	<u>28</u>	AMENDED SCEDULING ORDER. The Court adopts the following schedule on consent: 1. The Office of intelligence and Analysis ("I&A") shall process 500 pages of responsive documents on or before May 22, 2017. I&A shall either process or produce (with the term and definition of processing or producing to be determined by consent of the parties or, if necessary, by further Order of this Court) all outstanding responsive documents at a rate of 500 pages per month thereafter. 2. The Federal Bureau of Investigation ("FBI") shall process 500 pages of responsive documents on or before May 31, 2017. FBI shall either process or produce (with the term and definition of processing or producing to be determined by consent of the parties or, if necessary, by further Order of this Court) all outstanding responsive documents at a rate of 500 pages per month thereafter. 3. The parties shall submit a joint status report by June 20, 2017. 4. The parties shall appear for a status conference on June 23, 2017 at 10:30 a.m. Granting <u>27</u> LETTER MOTION for Leave to File Proposed Amended Order addressed to Judge William H. Pauley, III from AUSA Tomoko Onozawa dated 4/28/2017. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security. (Signed by Judge William H. Pauley, III on 4/28/2017) (rjm) (Entered: 04/28/2017)
05/05/2017	<u>29</u>	TRANSCRIPT of Proceedings re: conference held on 4/21/2017 before Judge William H. Pauley, III. Court Reporter/Transcriber: Rose Prater, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/26/2017. Redacted Transcript Deadline set for 6/5/2017. Release of Transcript Restriction set for 8/3/2017.(McGuirk, Kelly) (Entered: 05/05/2017)
05/05/2017	<u>30</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/21/17 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 05/05/2017)
05/12/2017	<u>31</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 4/21/2017 before Judge William H. Pauley, III. Court Reporter/Transcriber: Rose Prater, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/2/2017. Redacted Transcript Deadline set for 6/12/2017. Release of Transcript Restriction set for 8/10/2017.(McGuirk, Kelly) (Entered: 05/12/2017)
05/12/2017	<u>32</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 4/21/17 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 05/12/2017)

06/20/2017	<u>33</u>	JOINT LETTER addressed to Judge William H. Pauley, III from Tomoko Onozawa dated 6/20/17 re: Status Update. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Jude, Jennifer) (Entered: 06/20/2017)
06/22/2017	<u>34</u>	LETTER MOTION to Adjourn Conference <i>scheduled for June 23 2017 at 10:30 a.m.</i> , addressed to Judge William H. Pauley, III from AUSA Tomoko Onozawa dated 6/22/2017. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Onozawa, Tomoko) (Entered: 06/22/2017)
06/22/2017	<u>35</u>	ORDER: granting <u>34</u> Letter Motion to Adjourn Conference. Application granted. The status conference is adjourned to August 11, 2017 at 2:30 pm. Status Conference set for 8/11/2017 at 02:30 PM before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 6/22/2017) (ap) (Entered: 06/22/2017)
08/08/2017		***DELETED DOCUMENT. Deleted document number <u>38</u> AO 121 FORM COPYRIGHT – CASE TERMINATED– SUBMITTED. The document was incorrectly filed in this case. (jwh) (Entered: 08/09/2017)
08/09/2017	<u>36</u>	SECOND LETTER MOTION to Adjourn Conference addressed to Judge William H. Pauley, III from Avidan Y. Cover dated August 9, 2017. Document filed by Color of Change.(Cover, Avidan) (Entered: 08/09/2017)
08/09/2017	<u>37</u>	ORDER granting <u>36</u> Letter Motion to Adjourn Conference: Application granted. The status conference scheduled for August 11, 2017 is adjourned to September 15, 2017 at 3:00 p.m. (Status Conference set for 9/15/2017 at 03:00 PM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 8/9/2017) (jwh) (Entered: 08/09/2017)
09/13/2017	<u>38</u>	THIRD LETTER MOTION to Adjourn Conference addressed to Judge William H. Pauley, III from OMAR FARAH dated 9/13/2017. Document filed by Center for Constitutional Rights, Color of Change.(Farah, Omar) (Entered: 09/13/2017)
09/14/2017	<u>39</u>	ORDER granting <u>38</u> Letter Motion to Adjourn Conference. Application granted. The status conference scheduled for September 15, 2017 is adjourned October 13, 2017 at 10:00 a.m. SO ORDERED. (Status Conference set for 10/13/2017 at 10:00 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 9/14/2017) (anc) (Entered: 09/14/2017)
10/11/2017	<u>40</u>	FOURTH LETTER MOTION to Adjourn Conference <i>Status</i> addressed to Judge William H. Pauley, III from Avidan Y. Cover dated 10.11.2017. Document filed by Center for Constitutional Rights.(Cover, Avidan) (Entered: 10/11/2017)
10/12/2017	<u>41</u>	ORDER granting <u>40</u> Letter Motion to Adjourn Conference: Application granted. The status conference scheduled for October 13, 2017 is adjourned to November 21, 2017 at 10:30 a.m. (Status Conference set for 11/21/2017 at 10:30 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 10/12/2017) (jwh) (Entered: 10/12/2017)
11/17/2017	<u>42</u>	SCHEDULING ORDER: The status conference scheduled for November 21, 2017 is adjourned to December 7, 2017 at 11:30 a.m. SO ORDERED. (Status Conference set for 12/7/2017 at 11:30 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 11/17/2017) (anc) (Entered: 11/20/2017)
12/05/2017	<u>43</u>	FIFTH LETTER MOTION to Adjourn Conference addressed to Judge William H. Pauley, III from OMAR FARAH dated 12/5/2017. Document filed by Center for Constitutional Rights, Color of Change.(Farah, Omar) (Entered: 12/05/2017)
12/06/2017	<u>44</u>	ORDER granting <u>43</u> FIFTH LETTER MOTION to Adjourn Conference addressed to Judge William H. Pauley, III from OMAR FARAH dated 12/5/2017. Document filed by Center for Constitutional Rights, Color of Change. Application granted. The status conference scheduled for December 7, 2017 is adjourned to January 25, 2018 at 12:00 p.m. So ordered. (Status Conference set for 1/25/2018 at 12:00 PM before Judge William H. Pauley III). (Signed by Judge William H. Pauley, III on 12/6/2017) (rjm) (Entered: 12/06/2017)
01/25/2018	<u>45</u>	SCHEDULING ORDER: The parties having appeared for a status conference on January 25, 2018, this Court adopts the following schedule on consent: 1. Plaintiffs

		shall file their proposed motion by March 2, 2018. 2. Defendants shall file any opposition papers by April 4, 2018. 3. Plaintiffs shall file any reply by April 18, 2018. 4. The parties shall appear for oral argument on May 4, 2018 at 11:00 a.m. (Motions due by 3/2/2018. Responses due by 4/4/2018 Replies due by 4/18/2018. Oral Argument set for 5/4/2018 at 11:00 AM before Judge William H. Pauley III.) (Signed by Judge William H. Pauley, III on 1/25/2018) (jwh) (Entered: 01/25/2018)
01/25/2018		Minute Entry for proceedings held before Judge William H. Pauley, III: Status Conference held on 1/25/2018. (Entered: 02/02/2018)
02/09/2018	<u>46</u>	LETTER MOTION for Extension of Time for <i>Briefing Schedule</i> addressed to Judge William H. Pauley, III from Avidan Y. Cover dated February 9, 2018. Document filed by Center for Constitutional Rights, Color of Change.(Cover, Avidan) (Entered: 02/09/2018)
02/09/2018	<u>47</u>	ORDER: granting <u>46</u> Letter Motion for Extension of Time. Application granted. This Court adopts Plaintiffs' proposed briefing schedule. Oral argument is adjourned from May 4, 2018 to May 18, 2018 at 11:00 a.m. Motions due by 3/16/2018. Response due by 4/18/2018 Reply due by 5/2/2018. Oral argument set for 5/18/2018, at 11:00 A.M. (Signed by Judge William H. Pauley, III on 2/9/2018) (ap) (Entered: 02/09/2018)
02/09/2018		Set/Reset Deadlines: (Responses due by 4/18/2018. Replies due by 5/2/2018., Set/Reset Hearings: (Oral Argument set for 5/18/2018 at 11:00 AM before Judge William H. Pauley III.) (ap) (Entered: 02/09/2018)
03/08/2018	<u>48</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 1/25/2018 before Judge Robert P. Patterson. Court Reporter/Transcriber: Carol Ganley, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/29/2018. Redacted Transcript Deadline set for 4/9/2018. Release of Transcript Restriction set for 6/6/2018.(McGuirk, Kelly) (Entered: 03/08/2018)
03/08/2018	<u>49</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 1/25/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/08/2018)
03/15/2018	<u>50</u>	NOTICE OF APPEARANCE by Stephanie Llanes on behalf of Center for Constitutional Rights, Color of Change. (Llanes, Stephanie) (Entered: 03/15/2018)
03/15/2018	<u>51</u>	MEMO ENDORSEMENT on LAW STUDENT INTERN APPEARANCE FORM FOR ANTHONY CIRRANELLO, JR. ENDORSEMENT: I authorize this student: (a) to appear in court or other proceedings on behalf of the above client, and (b) to prepare documents on behalf of the above client. (Signed by Judge William H. Pauley, III on 3/15/2018) (jwh) (Entered: 03/16/2018)
03/15/2018	<u>52</u>	MEMO ENDORSEMENT on LAW STUDENT INTERN APPEARANCE FORM FOR KRITHIKA RAJKUMAR. ENDORSEMENT: I authorize this student: (a) to appear in court or other proceedings on behalf of the above client, and (b) to prepare documents on behalf of the above client. (Signed by Judge William H. Pauley, III on 3/15/2018) (jwh) (Entered: 03/16/2018)
03/19/2018	<u>53</u>	LETTER addressed to Judge William H. Pauley, III from OMAR FARAH dated MARCH 19, 2018 re: Confirming March 19, 2018 filing of Summary Judgment Motion. Document filed by Center for Constitutional Rights, Color of Change.(Farah, Omar) (Entered: 03/19/2018)
03/19/2018	<u>54</u>	MOTION for Summary Judgment . Document filed by Center for Constitutional Rights, Color of Change.(Farah, Omar) (Entered: 03/19/2018)
03/19/2018	<u>55</u>	MEMORANDUM OF LAW in Support re: <u>54</u> MOTION for Summary Judgment . Document filed by Center for Constitutional Rights, Color of Change. (Farah, Omar) (Entered: 03/19/2018)

03/19/2018	<u>56</u>	DECLARATION of OMAR FARAH in Support re: <u>54</u> MOTION for Summary Judgment .. Document filed by Center for Constitutional Rights, Color of Change. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 1 Document A, # <u>3</u> Exhibit 1 Document B, # <u>4</u> Exhibit 1 Document C, # <u>5</u> Exhibit 1 Document D, # <u>6</u> Exhibit 1 Document E, # <u>7</u> Exhibit 1 Document F, # <u>8</u> Exhibit 1 Document G, # <u>9</u> Exhibit 1 Document H, # <u>10</u> Exhibit 2, # <u>11</u> Exhibit 3, # <u>12</u> Exhibit 4, # <u>13</u> Exhibit 5, # <u>14</u> Exhibit 6, # <u>15</u> Exhibit 7, # <u>16</u> Exhibit 7 Document A, # <u>17</u> Exhibit 7 Document B, # <u>18</u> Exhibit 7 Document C, # <u>19</u> Exhibit 7 Document D, # <u>20</u> Exhibit 7 Document E, # <u>21</u> Exhibit 7 Document F, # <u>22</u> Exhibit 7 Document G, # <u>23</u> Exhibit 8)(Farah, Omar) (Entered: 03/19/2018)
03/19/2018	<u>57</u>	MEMO ENDORSEMENT on re: <u>53</u> Letter filed by Color of Change, Center for Constitutional Rights. ENDORSEMENT: Application granted. (Signed by Judge William H. Pauley, III on 3/19/2018) (jwh) (Entered: 03/19/2018)
04/18/2018	<u>58</u>	CROSS MOTION for Partial Summary Judgment . Document filed by United States Department of Homeland Security. Return Date set for 5/18/2018 at 11:00 AM.(Onozawa, Tomoko) (Entered: 04/18/2018)
04/18/2018	<u>59</u>	MEMORANDUM OF LAW in Support re: <u>58</u> CROSS MOTION for Partial Summary Judgment . <i>and in Opposition to Plaintiffs' Motion for Partial Summary Judgment.</i> Document filed by United States Department of Homeland Security. (Onozawa, Tomoko) (Entered: 04/18/2018)
04/18/2018	<u>60</u>	DECLARATION of Arthur R. Sepeta in Support re: <u>58</u> CROSS MOTION for Partial Summary Judgment .. Document filed by United States Department of Homeland Security. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Onozawa, Tomoko) (Entered: 04/18/2018)
04/19/2018	<u>61</u>	AMENDED MEMORANDUM OF LAW in Support re: <u>58</u> CROSS MOTION for Partial Summary Judgment .. Document filed by United States Department of Homeland Security. (Jude, Jennifer) (Entered: 04/19/2018)
04/19/2018	<u>62</u>	LETTER addressed to Judge William H. Pauley, III from Jennifer Jude dated 4/19/18 re: Corrected Memorandum of Law. Document filed by United States Department of Homeland Security. (Attachments: # <u>1</u> Exhibit A -- Redline of Memorandum)(Jude, Jennifer) (Entered: 04/19/2018)
05/02/2018	<u>63</u>	REPLY MEMORANDUM OF LAW in Support re: <u>54</u> MOTION for Summary Judgment .. Document filed by Center for Constitutional Rights, Color of Change. (Farah, Omar) (Entered: 05/02/2018)
05/18/2018		Minute Entry for proceedings held before Judge William H. Pauley, III: Oral Argument held on 5/18/2018 re: <u>54</u> MOTION for Summary Judgment . filed by Color of Change, Center for Constitutional Rights, <u>58</u> CROSS MOTION for Partial Summary Judgment . filed by United States Department of Homeland Security. (Entered: 05/30/2018)
05/23/2018	<u>64</u>	MEMORANDUM & ORDER: At this time, this Court makes no judgment as to the adequacy of the Sepeta Declaration, and is mindful that its "inspection prerogative is not a substitute for the government's burden of proof." Halpern v. FBI, 181 F.3d 279, 295 (2d Cir. 1999). Accordingly, DHS shall provide this Court with the documents underlying the parties' cross motions for summary judgment for in camera review by June 6, 2018. SO ORDERED. (Signed by Judge William H. Pauley, III on 5/23/2018) (ama) (Entered: 05/23/2018)
06/11/2018	<u>65</u>	TRANSCRIPT of Proceedings re: ARRAINGMENT held on 5/18/2018 before Judge William H. Pauley, III. Court Reporter/Transcriber: Karen Gorlaski, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/2/2018. Redacted Transcript Deadline set for 7/12/2018. Release of Transcript Restriction set for 9/10/2018.(McGuirk, Kelly) (Entered: 06/11/2018)
06/11/2018	<u>66</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 5/18/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely

		electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 06/11/2018)
07/09/2018	<u>67</u>	OPINION & ORDER re: <u>54</u> MOTION for Summary Judgment; <u>58</u> CROSS MOTION for Partial Summary Judgment: For the foregoing reasons, DHS's motion for partial summary judgment is granted and Plaintiffs' motion for partial summary judgment is denied. The Clerk of Court is directed to terminate the motions pending at ECF Nos. 54 and 58. The parties are directed to submit a joint status report by August 8, 2018. (Signed by Judge William H. Pauley, III on 7/9/2018) (jwh) (Entered: 07/09/2018)
08/07/2018	<u>68</u>	PROPOSED STIPULATION AND ORDER. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security. (Onozawa, Tomoko) (Entered: 08/07/2018)
08/07/2018	<u>69</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Onozawa, Tomoko) (Entered: 08/07/2018)
08/08/2018	<u>70</u>	MEMO ENDORSEMENT on re: <u>69</u> Status Report filed by United States Department of Homeland Security, Federal Bureau of Investigation. ENDORSEMENT: Application granted. This Court adopts the parties' proposed deadlines. (Signed by Judge William H. Pauley, III on 8/8/2018) (jwh) (Entered: 08/09/2018)
08/08/2018	<u>71</u>	STIPULATION AND ORDER OF PARTIAL DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between the parties as follows: 1. In addition to any and all claims relating to the Challenged Documents, which were addressed by the July 9th Order, the following claims in this action are dismissed with prejudice: any and all claims seeking the release of documents other than the Challenged Documents; any and all challenges to the adequacy of Defendants' search for records responsive to the FOIA Requests; and any and all challenges to Defendants' assertion of any exemption applied to documents other than the Challenged Documents. 2. The sole remaining unresolved claim in this action is Plaintiffs' demand or potential demand for an award of attorneys' fees, as to which all parties reserve all rights and defenses. Nothing in this Stipulation modifies the substantive legal standard otherwise applicable under law governing Plaintiffs' potential claim for attorneys' fees. (Signed by Judge William H. Pauley, III on 8/8/2018) (jwh) (Entered: 08/09/2018)
09/27/2018	<u>72</u>	JOINT LETTER MOTION for Extension of Time <i>to File Status Report</i> addressed to Judge William H. Pauley, III from Jennifer Jude dated 9/27/18. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Jude, Jennifer) (Entered: 09/27/2018)
09/28/2018	<u>73</u>	ORDER granting <u>72</u> Letter Motion for Extension of Time: Application granted. (Signed by Judge William H. Pauley, III on 9/28/2018) (jwh) (Entered: 09/28/2018)
10/29/2018	<u>74</u>	SECOND LETTER MOTION for Extension of Time <i>to file Status Report</i> addressed to Judge William H. Pauley, III from Omar Farah dated October 29, 2018. Document filed by Center for Constitutional Rights.(Farah, Omar) (Entered: 10/29/2018)
10/30/2018	<u>75</u>	ORDER granting <u>74</u> Motion for Extension of Time: SO ORDERED. (Signed by Judge William H. Pauley, III on 10/30/2018) (jwh) (Entered: 10/30/2018)
11/26/2018	<u>76</u>	THIRD LETTER MOTION for Extension of Time <i>to File Status Report</i> addressed to Judge William H. Pauley, III from Jennifer Jude dated 11/26/18. Document filed by Federal Bureau of Investigation, United States Department of Homeland Security.(Jude, Jennifer) (Entered: 11/26/2018)
11/28/2018	<u>77</u>	ORDER granting <u>76</u> Letter Motion for Extension of Time: Application granted. (Signed by Judge William H. Pauley, III on 11/28/2018) (jwh) (Entered: 11/29/2018)
12/27/2018	<u>78</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (mro) (Entered: 01/02/2019)